

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 16 and 27-28 were pending in this application. Claim 16 has been canceled, claims 27 and 28 have been amended, and new claims 30-35 have been added hereby. New claims 30-35 correspond respectively with original claims 2, 4-7 and 12. Upon entry of this amendment claims 27-35 will be pending herein. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed February 9, 2004, the drawing submitted October 15 was deemed unacceptable. This drawing is being resubmitted herewith.

Also in the Office Action, claims 16 and 28 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent 5,222,477 to Lia, and claim 27 was rejected under 35 U.S.C. §103(a) as being unpatentable over Lia in view of U.S. Patent 5,964,696 to Mihalca et al. To the extent these grounds of rejection might still be applied to claims presently pending in this application, they are respectfully traversed.

Examiner Tamai is thanked for the courtesies extended to applicant's representative during a telephone interview conducted June 2, 2004. New independent claim 29 is similar to the proposed claim 29 discussed during the interview, except for the addition of the final clause and the deletion of the "at a distance" language.

In accordance with the invention as defined by new claim 29, there is a first housing for holding the liquid crystal plate, the selection polarizing plate and the image pick up element, and

a second housing for holding the light shield plate therein, wherein the second housing is freely attached to and removable from the first housing. With the foregoing structure, it is possible to pick up a stereoscopic, *i.e.*, three-dimensional image, when the second housing is attached to the first housing, and to pick up a two-dimensional image when the second housing is removed from the first housing. Applicant respectfully submits that none of the prior art of record discloses an image pick up device that includes both first and second housings, let alone a second housing as recited in independent claim 29. Consequently, Applicant respectfully submits that the presently claimed invention is neither anticipated nor rendered obvious by the prior art of record.

Moreover, it is noted that all of the cited references disclose cameras to pick up only three-dimensional images. There is no discussion in these references as to how the described devices could function to pick up both two-dimensional and three-dimensional images. As such, the present invention is clearly more advantageous as compared to the devices described in the cited references.

For the foregoing reasons, Applicant respectfully submits, that the pending § 102 and § 103 rejections of the claims be reconsidered and withdrawn.

Finally, Applicant is submitting herewith replacement drawing sheets to correct typographical errors in Figs. 7 and 8. Applicant's have discovered that these drawings do not correspond to the description in the specification and have made appropriate corrections. Specifically, in Fig. 7 "C" has been changed to "D," and in Fig. 8 "A" has been deleted.

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In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

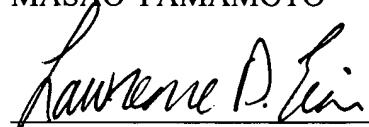
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Respectfully submitted,

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Attachments: Replacement drawings

LDE:dkp